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DEPT. OF TRANSPORTATION
DOCKETS

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Docket Management Facility (USCG-2002-14069) — 40
U.S. Department of Transportation
Room PL-401
400 Seventh Street SW
Washington, DC 20590-0001

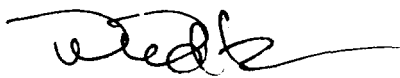
Dear Sir,

Thank you for the opportunity to comment on the U.S. Coast Guard's implementation of the Maritime Transportation Safety Act of 2002 (MTSA) and the International Ship and Port Facility Security (ISPS) Code.

While I appreciate the gravity of the security situation we face, the Coast Guard's apparent one-size-fits-all approach of addressing the mandate of the MTSA by implementing the ISPS Code across all U.S. facility and vessel operations is simply unworkable. Not only is the ISPS Code not appropriately applied to many domestic vessel and facility operations, its proposed wholesale application has the potential to seriously dilute both private and public resources by shifting focus away from those vessels and facilities that might be involved in a "transportation security incident" as it is defined in the MTSA.

The statements made by Coast Guard officials regarding the rulemaking to implement the MTSA and ISPS Code are alarming. Clearly, section 70117 of the Act provides the Coast Guard with special rulemaking authority; but, such authority is intended to implement the MTSA with respect to the vessels and facilities found to be vulnerable under section 70102 – not to every commercial (and perhaps recreational) vessel operating in the United States. Both in the December 30, 2002 notice, and in the public statements of Coast Guard officials, the Coast Guard appears to be overreaching its authority under the Act in an attempt to impose a standard, developed internationally, for vessels in international service, on the entire U.S. maritime industry.

Sincerely,


William Waltz
Safety/Training Manager